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NETTA, THE VIVANDIERE,

OR, THE

PRIDE OF THE "19TH".

A NEW

HISTORICAL MILITARY DRAMA

AND

Allegory in 5 Acts,

WITH ACCOMPANYING TABLEAUX.

Respectfully Dedicated

TO THE

GRAND ARMY OF THE REPUBLIC.

TAMAQUA, PA :

SATURDAY COURIER, BOOK AND JOB OFFICE.

1871.

COSTUMES.

Mr. Fairfax.—1st, Dressing-gown and slippers.

2d, Neat dark suit.

3d, Fine black suit.

4th, The same.

5th, Dressing-gown and slippers.

WILSON FAIRFAX.—1st, Fine black coat and pants, and light vest.

2nd, Private's uniform, U. S. A.

3rd, Colonel's Uniform U. S. A.

WALTER FAIRFAX.—1st, Fine black coat and pants and white Marseilles vest.

2nd, Major's Uniform C. S. A.

3rd, Uniform of 2nd Lieut. U. S. A.

PERCY RANDOLPH.—1st, Fine black suit.

2nd, Captain's Uniform U. S. A.

3rd, Major's Uniform U. S. A.

WILLIE FAIRFAX.—1st, Fashionable boy's suit.

2nd, Private's Uniform U. S. A.

PREST LINCOLN.—Fine black suit.

PREST of C. M.—Uniform of Brig. Gen. U. S. A.

NETTA.—1st, Fine walking suit.

2nd, Vivandiere costume.

3rd, Elegantly dressed.

MRS. FAIRFAX.—1st, Beautiful breakfast toilet.

2nd, Parlor costume.

3rd, The same costume, but other dresses.

HATTIE FAIRFAX.—The same costume as Mrs. F. but different dresses.

PAT.—Poorly fitting private's uniform throughout.

POMP.—1st, Servant.

2nd, Cast-off officer's coat, private's pants.

3rd, Neat suit.

OFFICERS.—Uniforms appropriate to their rank.

SOLDIERS.—Uniforms of each army.

Netta, the Vivandiere.

ACT I.—SCENE I.

Interior of Fairfax Mansion. Mr. Fairfax, Mrs Fairfax, Wilson, Walter, Hattie, Willie and Percy Randolph discovered.

Mrs. Fairfax.—Come, father, you gentlemen have talked quite long enough. Breakfast has been waiting sometime, and if we don't partake of it soon, it will assume the character of a lunch.

Mr. Fairfax.—True. Come, gentlemen, we must not allow the discussion of every day matters to deprive us of the repast prepared for us. Wilson, you must endeavor to make your friend, Mr. Randolph, feel more at home.

Percy Randolph.—I feel perfectly so already, Mr. Fairfax. The freedom from restraint, which one feels after being released from college and coming to such a pleasant place as your beautiful villa with his college mates, should make any one feel at home, but from some cause or other, I feel this morning as if I had been having the "blues" for a week.

Wilson F.—We'll soon drive them away. What say you, Walt, to taking your hounds out this morning and having a hunt, to drive away those gloomy thoughts of Percy's? Will you go?

Walter F.—Certainly. Do you suppose I could stay in the house these fine days while there is plenty of game in the woods worth shooting? (Servant admits boy with dispatch.)

Boy.—I was ordered to deliver this to you as soon as possible, as it contains news of importance. Good-day, sir.

Mr. F.—Good-day. (Exit boy, followed by servant. Mr. F. reads dispatch and becomes excited.) The scoundrel and double-dyed traitor! Does he think, that because he and his miserable accomplices have proved false to the government, that I will do so too?

Wilson F.—Father, sit down, and tell us what there is in that dispatch, that excites you so much, and called forth such bitter words as you just now uttered. Who talks of treason to our flag?

Mr. F.—The Governor of our State, aided by the Legislature. Listen, and I will read you his dispatch. He writes: "The Legislature, to-day, received the address of South Car-

olina to her sister States in reference to the subject of Secession. It contained the following noble utterances: 'The people of the non-slaveholding States are not, and cannot be, fit associates of the slaveholding States under a common government. South Carolina, acting in her sovereign capacity, has resolved to secede from the old Union. Citizens of the slaveholding States of the United States:—Destiny has placed us in the van of the great controversy between the North and South. The same power has cast our lot with yours by extending over us an identity of pursuits, interests, and institutions. South Carolina desires no destiny separate from yours. She asks you to aid her in establishing a confederacy with an area larger than any power in Europe possesses, and whose court shall rival in brilliancy and influence, the proudest of the Old World governments. She has severed the ties that made her one of the "Old Thirteen," and asks you to assist her in forming a new union which will surpass the old in everything.' Virginia has followed the example of South Carolina and has also seceded from the old Union. You will therefore, in your official capacity as Mayor of Wheeling, take possession of the Custom House, Post Office, all public buildings and documents, and hold the same in the name of Virginia. Waste no time in complying with these instructions, and telegraph the result, as all now depends upon the celerity with which we move." This is signed by the Governor.

Walter F.—Well, father, what answer will you make the Governor? You will, of course, comply with his instructions?

Mr. F.—Walter, I am surprised that you should so misjudge me. I will not comply with his instructions, but shall take possession of and hold the same in the name of the United States, to whom they belong.

Walter F.—Father, you certainly cannot mean what you say? You will not thus prove recreant to your State, when she most needs the help of all her sons?

Mr. F.—I deny the right of any one, or any number of the States composing this Union, to separate themselves from it, without the consent of all; consequently, I deny the right of any state to seize the public property contained therein; and now, sir, I demand an explanation of the words just uttered by you.

Walter F.—Which you shall have. New questions are involved in this issue. The North having elected a sectional President, whose every public utterance declares in favor of the abolition of slavery, the South, to her eternal glory be

it said, has thrown off the galling yoke, and resolved to own no sisterhood with the craven North. South Carolina, the home of the honored Calhoun, has thrown down the gauntlet, and has been followed by "The Mother of Presidents," our own noble Virginia. Others will follow, and asserting their independence, will form a new and powerful confederacy. You may acquiesce in this revolution, and acknowledge the independence of this new confederation, or you can make war upon the seceding States, and attempt to force them into an alliance they abhor. If the latter, you will find that we will fight until the last man in the South dies, for we will never be defeated while we can resist the oppression of the craven North. Father, you, who have lived so long in the South, should have better judged her people. Can you think she would quietly submit to be ruthlessly robbed of her glory, by submitting to be ruled by an illiterate, rail splitting boor, such as Lincoln is? No, sir, the South has a higher destiny than that, and the time will come when you will regret having dishonored your country, should you now espouse the cause of the North, but I do not think you will be so base as to turn renegade at this moment, and I hope to see you and all here joining us in the struggle for our liberty. How feels my brother and his friend on this subject?

Wilson F.—I am astonished, sir, and regret that I have a brother who can turn traitor to his country and her flag. But let me warn you, sir, that this step, once taken, can never be retraced, and all the fearful consequences that must surely follow, will rest with crushing weight upon you and your confederates for all coming time. When an outraged government has desolated our lovely South, when our fair country has been swept with fire and bloodshed, and all the horrors of war are upon us, who will be held responsible for the ruin? Pause, I entreat you, and consider for a moment the rash act you are about to commit. What right has the North assailed? What interest of the South has been invaded? What claim, founded on right and justice, has been withheld? Can you refer to one act of wrong deliberately planned and executed by the government, of which the South has any right to complain? Then why this mad attempt to overthrow the government; and erect upon its ruins, one so much its inferior, that even your own conscience must condemn the act? Merely to gratify the desire and ambition of a few worn out and disappointed political tricksters, who mean to further their own schemes, no matter at what cost of blood and treasure. Now, sir, to undertake to overthrow the government under which you have

grown to be what you are, which has protected you in every thing and under which you possess privileges which are denied to the subjects of every other government in God's wide domain, seems to me the height of madness, folly and crime, and to which I will neither lend my aid or countenance, and I think my friend Randolph is as loyal as I am.

Percy Randolph.—You are right, Wilson. I have been reared in South Carolina, and love her and her institutions, but towering above this love of State, rises the love of my country. I consider it the highest privilege, (outside of the gospel,) to be a citizen of the government which has never yet been humbled by either foreign or domestic foe. My relatives are all in the South, but if they espouse the cause of treason, and opportunity presents, I would strike them down as quickly as those not endeared to me by the fondest of human ties. I claim no friendship with traitors. While enemies trail our standard in the dust, we must fight, but let me tell you the fight will be bitter and long. I know the courage of these men, for I have lived among them. They will fight with a determination and power almost unconquerable, but we must endure all for our country, and her honor. No, Walter Fairfax, I reject your proposal with contempt. I can not countenance the formation of a new government out of any part of the old, nor can all the wealth, honor or titles which your embryo government create, seduce me from my allegiance to the Stars and Stripes, and I hope that reflection may lead you to see the error you have fallen into, ere it be to late.

Mr. F.—Noble young man. I had feared that, coming as you do from South Carolina, you would join the Secessionists in their wild scheme of madness, but the sentiments just expressed by you prove me to have mistaken your character. As to you, sir, (*To Walter*) I have but little to say. I am grieved to learn that I have raised a son to disgrace me by turning traitor to his country. Were I to act as my feelings prompt me to, I would strike you to the earth and pray Heaven to deprive you of the life you have so shamefully debased, but, if you persist in this mad course, I will disown you, and drive you from my house as I would the vilest criminal that walks the earth. You can go, sir, and when once you have left this house, look upon me as a stranger, for as such I shall regard you until you renounce the cause of treason, and return to your allegiance to your country.

Walter F.—Enough, father. I have linked my fortune with the Sunny South, and no fear of parental censure shall alter my determination to do all in my power for the success

of what you term a wild, mad scheme, but which seems to me to be the grandest undertaking of the nineteenth century.

Hattie Fairfax.—Brother, do not be so hasty. Think of the sorrow and disgrace this step will bring upon us. Do take back your words, if not for my sake, do it for mother's?

Walter F.—No, Hattie, were an angel to plead with me to do so, I would not. Our people have been degraded long enough, but have at last been aroused to see their danger, and have hurled defiance to the Vandal North, and though my actions sever every tie, yet will I remain true to the South.

Mr. F.—Now, sir, depart; and never cross yonder threshold again, until you retract the foul utterances that have this morning disgraced your manhood. (*Exit Walter, L. 2 E.*)

Mrs. F.—Husband, what have you done? Oh! surely you are not in earnest?

Mr. F.—Mother, I am. I love my son, but his conduct this morning has annihilated my affection for him. When he returns to his allegiance, and acknowledges his error, I will receive him with open arms, but until then, I do not wish his name to be uttered in my presence. (*Curtain.*)

SCENE II.—ACT I.

Landscape.—Enter Walter and Willie Fairfax, R. 1 E.

Willie F.—Walter, I want to know whether you really mean to do as you said you would in the house, a little while ago.

Walter F.—You heard my answer there, and I have no intention of altering it now. Will you not go with me? Your aid will be of much service to the South before the end of the struggle. Percy Randolph was right, when he said we would fight hard and long. The North will fight fiercely too for a time, but when the first few months excitement is past, they will abandon the struggle, and yield to the men of the South the privileges which by birth and education belong to them. Then, those who lend their aid to the South in this the darkest hour of her peril, will be overwhelmed in disgrace, and lost in oblivion. Will you unite with us in this glorious cause, or be one of those who are false to the South?

Willie F.—Walter, though my aid be but small, yet little as it is, it shall be exerted to maintain, undivided, this grand old Union, (*Enter Wilson F. and Percy R., R. 1 E.*) for not one act would I willingly commit, which would help to divide it. No, sir, I honor my father *too much*, to act in the manner you propose.

Wilson F.—Spoken like my own loyal brother. Percy, is it not a pleasure to hear such expressions of loyalty from one so young?

Percy R.—It is truly so. Walter, if your inclinations lead you to turn traitor, you should at least have honor enough left not to influence your youngest brother to do the same. Your conduct in thus joining yourself to this conspiracy, is dishonorable in the extreme, and when you have reflected—

Walter F.—Randolph, talk no more of reflection. Sir, this is not the act of a moment, but one of mature deliberation, and I have no fear of the result, but I am surprised that you, an educated South Carolinian, should thus turn renegade to the South, but, sir, the day will come when you will regret having done so. In the meantime, allow me to bid you farewell. *(Exit L. 1 E.)*

Percy R.—Well, he has gone, Wilson, but I am convinced that we will yet see him on the right side. A mind, like that possessed by Walter, strengthened by the teachings of a man as loyal as your father, can not forever remain blinded to the error he has committed. He is now led away by older rebels, but when his mind asserts its supremacy, he will return to his allegiance. But let us hasten to the Custom House, for our assistance may be needed, as your father has gone there to carry out his determination as expressed this morning after reading the Governor's dispatch. *(Exit L. 1 E.)*

SCENE III.—ACT I.

Custom House, Wheeling, Virginia. Mr. Fairfax discovered.

Mr. Fairfax.—*(Solus.)* I have thrown down the gauntlet in refusing to co-operate with Gov. Letcher in his treason, and no doubt he will send an armed force here to take possession of the public property, but it shall not be surrendered without an effort to defend it. Ah! Troops have already arrived, yet it is scarce six hours since my reply was sent to him. *(Enter squad of soldiers, L. 2 E. under command of a Captain.)* Your business here, sir?

Captain.—I have been ordered by Gov. Letcher to take possession of this building, and all other public property, in the name of the Southern Confederacy.

Mr. F.—Return to Gov. Letcher, and tell him that I refused to yield to his demand, and that I intend to defend this property as long as possible. *(Enter Wilson F., Percy R., and a number of other men, R. 2 E.)*

Captain.—Sir, I do not wish to resort to force, but I must

and will carry out my instructions even if in so doing, I must use violence.

Wilson F.—Sir, let me tell you that you will have to measure your strength with ours, and your own good sense will tell you that your command is not strong enough to succeed in the undertaking.

Capt.—If all here are truly loyal, there is no necessity for the experiment, for the property could not be in better hands than at present. My previous action has only been a ruse to determine which side of this struggle between the North and South you were in favor of. We are only a portion of the army sent here for your protection. (*Martial music heard.*) Here comes the rest of our troops. (*Enter Gen. Lander with Staff, L. 1 E.*)

Gen. Lander.—I have been sent here, by Gen. McClellan, to aid you in protecting your lives and property. The General ordered me to deliver this paper to you with the request that you would read it to your people, and these men whom I have here.

Mr. F.—I will do so with pleasure. (*Reads.*) “To the patriotic citizens of West Virginia:—Armed traitors have in vain endeavored to deter you from expressing your loyalty at the polls. Having failed in this infamous attempt to deprive you of the exercise of your dearest rights, they now seek to inaugurate a reign of terror, and thus force you to yield to their schemes, and submit to the yoke of that traitorous conspiracy, dignified by the name of the Southern Confederacy. The government has abstained from the moving of any troops toward your region, until after the election, that they might not even appear to have hindered its freedom; but as you by your votes been proved yourselves true and loyal, I have ordered troops to cross the river. They come as friends and brothers; as enemies only to armed rebels, who are preying upon you. Your homes, your families and your property are all safe under our protection. Notwithstanding all that has been said by traitors, to induce you to believe that our advent among you will be signalized by an interference with your slaves, understand one thing clearly; not only will we abstain from all such interference, but we will, on the contrary, with an iron hand, crush any attempt at insurrection on their part.”

Gen. Lander—Soldiers, you have heard the assurances of our General to these people. You are here to protect the lives and liberties of our brothers, threatened by a traitorous and rebellious foe. Bear in mind that you are in the country of friends,—not of foes,—that you are here to protect, not

to destroy. Remember that the word of our General is pledged to the people of West Virginia, that their rights, in person and property, shall be respected. I ask every one of you to make this good in its broadest sense. Your enemies have violated every moral law. They have rebelled against a government well able to protect its citizens, and punish its enemies. They have seized upon public and private property, and outraged the persons of Northern men, simply, because they came from the North, and of Southern men, merely because they loved, and were true to the Union. You will pursue a different course. You will be honest, brave and merciful, respect public opinion, and punish no man for opinion sake. Show to the world, that you differ from our enemies in these points of honor, and that we inaugurate no reign of terror. What say you, soldiers, shall these be your principles?

Omnes.—They shall.

Gen. Lander.—I thank you for your endorsement of my words. And now, Mayor, it is necessary that we have more men, for without doubt the rebel Gen. Garnett will attack before long, and more troops can not be detached from the main army at present. Do you think a sufficient number of men can be recruited to defend the place, in case General Garnett should attack?

Percy Randolph.—Quite a number of men have already enlisted, General. Not knowing whether we should receive aid from the government so soon, recruiting offices were opened on our own responsibility, and several regiments are forming. In the absence of the Colonel of the regiment to which I have the honor to belong, I tender our services to you, to assist in repelling the common enemy.

Gen. Lander.—I accept their services, and deem it an honor to command such patriotic men. With their assistance, we shall be able to hold the enemy in check, until Gen. McClellan and the main army shall arrive. Are your men equipped for service?

Percy R.—My company is, and the balance will be before night.

Gen. Lander.—Then we will leave here, and prepare for the reception of General Garnett when he arrives. (*Business, and exit L. 1 E., of all except the Fairfaxes.*)

Mr. F.—Wilson, have you enlisted yet?

Wilson F.—Yes, Father, both Willie and myself have enlisted. We did so without consulting you, but knowing that you would approve, I concluded you would not be offended at our premature action.

Mr. F.—You have done perfectly right, and may God in His infinite mercy protect and care for you while away, and bring you home in safety. I only regret that I have one son, so lost to honor, as to fight in defence of treason.

(*Curtain.*)

SCENE IV.—ACT I.

Enter Miss Winthrop, and Walter Fairfax, conversing.

Miss W.—Surely you do not mean what you have just said, Mr. Fairfax. I am sure you do not. You could not be such a traitor.

Walter F.—If ever I meant anything, I do, Miss Winthrop. As to treason, I can see none. We simply ask of the North, the right and privilege of making our own laws. We do not intend to interfere with the North and its pursuits, and ask but the same treatment in return. Surely, you do not call this treason?

Miss W.—If it be not treason, I know not what else to call it. The North and South are united under, and as, one government, and the same general laws that govern one section, must govern the other also. But you are not satisfied with this, and demand the right to secede from the main government, and form one of your own, aye, more, you demand the surrender into your hands of all the public property of the United States, contained, it is true, within the limits of Southern Territory, but which the North as well the South has helped to place there. The Government denies the right of any State to act in this manner, and the South immediately takes steps to secure by force, what could not be otherwise obtained. By force of arms, Major Anderson was obliged to evacuate Fort Sumpter, and the flag, that the most powerful nation in Europe vainly tried to humble, was trailed in the dust by those who should have periled their lives in its defence. Now, sir, the Constitution of the United States says that Treason shall consist in levying war upon the United States, or giving aid and comfort to its enemies. Can you deny having done these things, and yet you say you have committed no treason?

Walter F.—Call it treason then, if you will. But remember, Miss Winthrop, that we also have a side of this question. Our people have grown furious under long oppression and have resolved to sever themselves from the thralldom of the North.

Miss W.—*Our people?*

Walter F.—Yes, *our people*. I do not hesitate to say that

I belong to them fully, and shall remain so. It is true that all my relatives have decided in favor of the North, but they are wrong, madly wrong, in thus holding on to an old idea.

Miss W.—*They* are not wrong. *You* are wrong, and I wonder at your being so.

Walter E.—I see no cause for wonder, Miss Winthrop. I have been reared and educated in the South. I love her and her institutions, and feel it my duty to sustain her in all she undertakes. By the recent action of the North, a man has been placed at the head of the government, whose every avowed sentiment throughout his political career, has proclaimed him to be the enemy of the South. Slavery, the bulwark of our wealth and power, has been assailed, and the South, ever watching with a jealous eye for the safety of that institution, has unfurled to the breeze the Palmetto Flag—emblem of our independence—and rallying around it all her loyal sons, has severed her connection with the United States and asserting the supremacy to which she is entitled, has formed a new and powerful government, and now defies the power of the North. Steps have already been taken that will insure our success. The fools, whom we despise, have been made to help us. We have weapons from their arsenals, money from their mints, and officers from their service. All is prepared; but of course this splendid empire can not be founded without cost. There will be a struggle, but it is not likely that the Northern hirelings will do much fighting, but be that as it may, we must be prepared for any emergency. Our lives and means must be freely given, and all true Southern men feel it; but strangely enough, a few still stand up for the old Union. They are willing to exist in the old oppressive way, instead of having their ambition fired by the promise of a great Southern Empire. Prominent among these is my father. We feel that his wealth, social and official standing, give him an influence which should at this moment of trial be thrown on our side. There are too many who tremble at the chance of asserting our independence. Each must be put down. They will not be permitted to peril our cause at such a time. *Ruin* awaits those false to the South at this critical moment, while *glory* awaits those who assist in achieving her victory. You have much influence with my father, Miss Winthrop. Go see him and place these things in their proper light before him.

Miss W.—If I have influence with your father, rest assured that I will never use it for the purpose you propose. I am not surprised that he refused to turn traitor, for it is like him. As for myself, I do not approve of your project. It

is dastardly. And let me tell you, sir, he, who raises a hand against the beautiful Stars and Stripes of my country's flag, can not be recognized as friend of mine.

Walter F.—Beware, lady, the time is coming when it will be dangerous for even a woman to insult us with such words. Be warned in time, lest you repent when too late. (*Enter Wilson F., R. 1 E. Bus.*)

Wilson F.—I overheard your threat, sir, and wonder that you dare insult a lady in such a manner. Where is your manhood? Oh, sir you are falling fast, but be careful in future to whom you apply your threats. A repetition of this offense will cost you dear. Leave us.

Walter F.—I do not fear you, Wilson, but will leave you. But rest assured, that we will meet again, and you, at least will regret this occurrence. (*Exit, R. 1 E.*)

Wilson F.—Come, Miss Winthrop, let us go. My brother will never trouble you again.

Miss W.—But you cannot forget his threat.

Wilson F.—Heed it not. It will never be fulfilled. (*Exit. L. 1 E.*)

GRAND TABLEAU—SECESSION.—END OF ACT I.

ACT II.—SCENE I.

Wilson Fairfax discovered pacing beat.

Wilson F.—How still and quiet is everything, around me. How weary is the life of an oppressed soldier. 'Tis now five days since I have slept, and my over-taxed system cannot much longer battle with the desire to sleep. It must be near the time for the relief to come, so I will rest for a moment, and then I may be able to conquer the inclination to neglect my duty. (*Leans on musket, sleeps.*) TABLEAU—The Penalty. (*Enter Col. Lovejoy and Capt. Lacy R. 1 E.*)

Col. Lovejoy.—What means this? Wilson Fairfax asleep while on duty? My revenge is now complete. (*Wakens Wilson who is struck with horror at the thought of the doom which awaits him.*) You are doubtless aware that the penalty of this is death. You think that my knowledge of the circumstances to which you have fallen a victim added to my influence might save you. But, sir, you shall never be benefitted by either. No, no, your star so long in the ascendant, has now set in disgrace, while mine has arisen in triumph; and the hour that sees you die, beholds Netta, the Vivandiere, in the power of your victorious enemy. (*Enter relief guard R. 1 E. Business.*) Sergeant, take charge of this man and conduct

him to the guard-house. (*Exit Sergt. with relief L. 1 E.*) The last obstacle in the way of my triumph is removed, thanks to your valuable assistance, Captain My rival has committed a crime, for which "War's inexorable law" declares the penalty is death. We will now make the "Grand Rounds," and then to camp to prepare the papers required to have our victim court-martialed. (*Exit, L. 1 E.*)

SCENE II.—ACT II.

Court-Martial.—Ten officers, with President of Court, at one table. Judge Advocate at small table, with papers, etc. Officers engaged in conversation.

Pres't.—Our duty here is other than social intercourse. We have been convened for the purpose of trying a negligent soldier, and not the discussion of the weather, yesterday's dinner at Col. Langdon's quarters, the claret, cigars, and Virginia ladies. (*Officers come to order, and Judge Advocate reads record of trial to this time. Pres't continues.*) For my own part, gentlemen, I think this quite a simple matter, requiring but little deliberation. Here is the fact of the offense proved, and here is the law upon that offense clearly defined. Nothing seems to remain for us to do, but to bring in a verdict in accordance with the law, and the fact, and I move that the vote be immediately taken on this question. (*The Judge Advocate prepares to take the vote, when Lieut. Lovel rises and says:*)

Lieut. Lovel.—Mr. President, and gentlemen of the court, there are mitigating circumstances connected with this offense, which, in my judgment should be duly weighed before making up our verdict.

Pres't.—Lieutenant, when your hair has grown grey in the service of your country, as mine has, and when your flesh has been marked with the scars of a score of well-fought fields, you will find your soft theories corrected by hard experience, and you will learn that there can be no mitigating circumstances in the case of a sentinel sleeping upon his post; that nothing can palliate such flagrant and dangerous neglect, involving the safety of the whole army; a crime that martial law has very necessarily made punishable by death. Has any other gentleman any views to advance before we proceed to a general ballot? (*Officers again whisper among themselves, after which one says:*) I know no reason why the ballot shall not be proceeded with. (*Judge Advocate calls court to order for taking of vote; questioning each officer in turn, beginning with the youngest.*)

Judge Advocate.—How say you, Lieut. Lovell, is the pri-

soner on trial guilty, or not guilty, of the offense laid to his charge? (*This question is asked of the Lieutenants, then the Captains, and finally Maj. Randolph, who responds "Not Guilty", all the others say "Guilty". At the response of Maj. Randolph, all the officers rise, throwing as much astonishment in their looks as possible. Perfect silence, until President speaks.*)

Pres't—Sir! Maj, Randolph! your vote sir! in direct defiance of the fact and the law upon it, is *unprecedented*, sir, in the whole history of courts-martial!

Maj. Randolph.—I record it as uttered, nevertheless.

Pres't—And your oath, sir! what becomes of your oath as a judge in this court?

Maj. R.—I regard my oath in my vote.

Capt. Durell.—What, sir, do you mean to say that you have rendered that vote in accordance with the facts elicited in evidence, as by your oath you are bound to do?

Maj. R.—Yes.

Capt. Durell.—Do you mean to say that the prisoner did *not* sleep while on duty?

Maj. R.—Certainly, I do not, on the contrary, I grant that he did sleep upon his post, and yet I maintain that in doing so, he was not guilty!

Pres't—Maj. Randolph plays with us!

Maj. R.—By no means, sir, I never was more in earnest in any thing, than I am in this. Your honor, the President, and you gentlemen, judges of the court, as I am not counsel for the prisoner, nor civil officer, nor lawyer of, whose interference courts-martial are jealous, I beg you will permit me to say a few words in support, or rather explanation of the vote which you have characterized as an opinion in opposition to fact and law, and unprecedented in the whole history of courts-martial. You heard the defense of the prisoner: you heard the narrative of his wrongs and sufferings, to the truth of which his every aspect bore testimony. I will not here express a judgment as to the motives of his superior officers, but merely refer to the facts themselves, in order to prove that the prisoner, under the circumstances could not, with his human power, have done otherwise than he did.

Pres't.—Sir, if the prisoner considered himself wronged by his captain, which is very doubtful, he could have appealed to the Colonel of his regiment.

Maj. R.—True the articles of war accord him that privilege, but is it ever taken advantage of? Is there a case on record where a private soldier ventured to make a dangerous enemy of his superior officer, by complaining of his Captain to his Colonel? Nor in this case would it have availed him

anything, inasmuch as the prisoner had well-founded reasons for believing the colonel to be his personal enemy, and his captain as only the instrument of that enmity.

Prest.—And you, Major Randolph, do you coincide in the opinion of the prisoner? Do you think there could be any thing in common between the colonel of the regiment and the private in the ranks, to explain such an equalizing sentiment as enmity?

Major R.—I answer distinctly, yes, sir. The cause is none other than disappointed love. The prisoner is a young gentleman of birth and education, the heir of a large estate in West Virginia, and the betrothed of one of the loveliest ladies in the State, one well known to nearly all the officers constituting this court-martial, for in her impulsive love for him, she has accompanied him here, and is now known as Netta, the Vivandiere. Previous to her acquaintance with the prisoner, Mr., now Col. Lovejoy, was a suitor for her hand with every prospect of success, but fortune threw an unlooked for obstacle in his path. She and Wilson met, a mutual attachment sprang up between them, and resulted in their betrothal. In the meantime, Col. Lovejoy proposed, was rejected, and demanded a reason. It was given, and on learning who his rival was, he vowed to have revenge should he ever have the opportunity. The prisoner therefore had a mortal enemy in Col. Lovejoy. Gentlemen, what I say in the absence of Col. Lovejoy, I am prepared to repeat in his presence, and maintain at the proper time and place.

Capt. Beverly.—But how came this young gentleman of birth and expectations to be found in the ranks?

Major R.—How came we to have headstrong sons of wealthy parents, fast young men of fortune, and run-away students from our colleges and universities in our ranks? In a burst of loyal enthusiasm the prisoner enlisted. Destiny gave him as the colonel of his regiment, his mortal enemy. Col. Lovejoy found in Capt. Lacy a ready instrument for his malignity, and between them, they have done all that could be effected to insure the destruction of Wilson Fairfax. And I repeat, gentlemen, that what I feel constrained to say in the absence of those officers, I shall assuredly re-assert and maintain in their presence upon the proper occasion.

Capt. Marsden.—But it seems to me that this is not directly to the point at issue.

Major R.—On the contrary, sir, it is the point, the *whole* point, and *only* point, as you shall presently see by attending to the facts that I shall presently place before you. You and all present must then see that there was a deliberate pur-

pose to effect the ruin of the prisoner. He is accused of sleeping on his post, the penalty of which is death. Now, listen to the history of the time preceding his fault, and tell me if human nature could have stood the trial. Sunday night was the last of repose to the prisoner until Friday morning, when he was found sleeping while on duty. Monday night, he was sent with the reconnoitering party to Charles City Cross-roads; Tuesday, sent as orderly to brigade head-quarters, and at night put on guard; Wednesday, sent with the wagon train for supplies, and on his return, he was sent out with another reconnoitering party; Thursday, he was sent with the officer who carried dispatches to Gen. Heintzelman, and did not return until late in the night when, thoroughly worn out, he was again detailed and placed on post, where, a few hours later, he was found asleep, and by whom? The colonel of his regiment, and the captain of his company, who seemed bent upon his ruin!—as I hold myself bound to prove before another court-martial. This result had been intended from the first. If four nights loss of rest would not have accomplished this, a longer time would and they were able to enforce it until their victim was doomed. And now, gentlemen, in view of all these circumstances, I ask you, was Wilson Fairfax guilty of *willful* neglect of duty in sleeping on his post? I move for a reconsideration and a new ballot!

Pres.—Such a thing is without precedent, sir! These mitigating circumstances may be brought to bear upon the President, and may be embodied in a recommendation to mercy, but they should have no weight in the finding of the verdict, which should be in accordance with the fact and the law—

Major R.—And also with justice and humanity. To find a verdict of guilty against the prisoner would be to place an unmerited brand upon his spotless name, which no after clemency of the Executive could wipe out. And I again move for a new ballot.

Lieut. Worth.—I second the motion.

Pres't.—Gentlemen, this thing is without *precedent*. In all the annals of courts-martial, without *precedent*.

Maj. R.—Then, sir, if there *be* no such precedent, it is quite time that such a one were *established*, so that the iron car of literal law should not always roll over and crush justice.

Pres't.—It is irregular! it is illegal! it is *unprecedented*. Never heard of such a thing in forty years of military life. It *can not, shall not* be done. The ballot has already been taken and by it, you have pronounced him guilty, and

with due regard to your oaths, you cannot retract that verdict. Had the circumstances, known to Maj. Randolph, been explained at the proper time, your decision might have been different, but it is now too late, and it only remains for us to pronounce the sentence. Prisoner, have you anything to say why sentence of death should not be pronounced against you?

Wilson F.—I have but little to say, gentlemen, knowing as I do, that it cannot now alter your verdict. A jury of my own countrymen have found me guilty of the crime, where-with I have been charged. For this I entertain not the slightest resentment. Influenced as they have been by the evidence, they could have found no other verdict. What of that evidence? Any strong observation on it would ill besit the solemnity of this scene, but I ask you, gentlemen, when the passions and prejudices of this hour have passed away to appeal to your own consciences, and think was it sufficient to convict me of willful neglect of duty? You may think this language unbecoming, and perhaps it may more firmly seal my fate, but I am here to speak the truth whatever it may cost. I am here to regret nothing I have ever done; to retract nothing I have ever said. I am not here to crave with lying lips, the life I have consecrated to the service of my country. Far from it; even here, where the shadows of death surround me, and from which I see an unhonored grave open to receive me; even here, encircled by these terrors, the hope that you will not judge me harshly, consoles me. Judged by military law, I know my crime entails the penalty of death, but the history of my wrongs told you by Maj. Randolph, explains the crime, and justifies it. Judged by that history, I am no criminal, and deserve no punishment. Judged by that history, the crime of which I stand convicted loses all its guilt, is sanctioned as a duty, and my death will be ennobled as a sacrifice. With the expression of these sentiments, I await the sentence of the court. Having done as far as able what I felt to be my duty, having spoken what I feel to be the truth, I now bid farewell to my friends and my country. Pronounce then the sentence which the law directs, and I will be prepared to hear it, and I trust, to meet its execution.

President of Court.—Prisoner, you have been convicted of the crime of sleeping while on duty, the penalty of which, according to the 46th Article of War, is death. The court does therefore sentence you to be shot at 4 o'clock in the afternoon two days hence, should the findings of the court be approved by the proper officers. Your execution has been deferred until that time, to enable your friends to make use

of the statements of Major Randolph, and secure if possible a pardon. Gentlemen, this court is adjourned.

SCENE III.—ACT II.

Netta.—(*Enters R. 1 E.*) How dull everything is to-day. If I could only find some one to have some fun with. Ha! ha! ha! Speak of the old Harry, and you'll surely see his second cousin. In this case I spoke of fun, and here it comes in the shape of a jolly Irish recruit, rigged out in his regimentals. Now for a rare bit of sport. (*Enter Pat, R. 1 E. singing.*) Say, you fellow, where you going to? You're the funniest man I ever saw. Ain't you one of the helps about these diggings?

Pat.—Faith an' I am, darlint, one of the ribil helps. I'm going to help hang 'em, an' if there's anythin' I can do for ye, say so, an' I'll do it, if I plaze.

Netta.—Say, don't you think yourself some pumpkins? (*Laughs.*) Well, really, you're the strangest animal I ever saw. What part of the world did you grow in? (*Laughs.*) You look like a fly on a cow's back.

Pat.—(*Laughs.*) Be jabbers, an' if we were both in a cage I don't know which would be the greater curiosity.

Netta.—You, of course. Say, stranger, what makes you laugh all over your face? My pap once had a pig used to do the same thing, and he was always a good-natured clever, little animal. He used to come in the house, go out, come in again, sit down on the floor, whistle Lanigan's ball, get up, go out and kick over the swill-pail, come in again, stick his feet through the window, spit tobacco juice over the carpet, wipe his nose in the buckwheat cakes, and make himself as sociable as you please. Oh, you never saw such an entertaining animal. (*Aside.*) That's a good one.

Pat.—(*Whistles*) Divil darn me, if ye haven't licked the blarney stone, but faith and yere grunter was nothin' compared with my mother's Thomas cat, with her tail twenty three feet long—

Netta.—With her tail twenty-three feet long?

Pat.—With her tail twenty-three feet long; only to see her git out of bed in the mornin' and shake her head like another cat—

Netta.—Your mother shake her head? Why that's nothing.

Pat.—Not my mother, but the cat. After this, she'd go in the field,, milk the cows, twist her tail around the shaft of the low-backed car, shove a short dudheen of a pipe into her mouth—

Netta—Who? Your mother?

Pat—No, the CAT. Then she'd run off to market, sell the butter and eggs, drink her three gills of whiskey—

Netta—Did your mother drink?

Pat—Didn't I tell you it was the CAT? Faith, an' after doin' all this, she'd be back in an hour to have her breakfast of stirabout with the rist of the childer, an' no blarney about it ayther.

Netta—Well, Pat, I think the cat and pig ought to belong to the same family.

Pat—So they shall, my darlint.

Netta—Well, it's a bargain, but you must keep dreadful civil, for if you make me mad, I'm terrible!

Pat—I don't care how terrible ye are, for sure me mother was a terrible female.

Netta—Well, Pat, I have no doubt that you and I will get along right well; but tell me why is Wilson Fairfax under arrest?

Pat—Under a what?

Netta—Why is Wilson Fairfax in the guardhouse?

Pat—Sure and divil a wan of me knows.

Netta—I have asked several times, but none of the guards will tell me, so I wish you to find out for me. Will you do so, Pat?

Pat—Sure an' I will; but will I find you here when I get back?

Netta—Yes, but don't be long. (*Exit Pat, R. 1 E.*) I hope he succeeds, for the silence of the soldiers on this subject puzzles me, and I fear, bodes evil to the man I love; but here comes Major Randolph, and he, of all others, can answer my questions. (*Enter Major Randolph, R. 1 E.*) Good day, Major. Why do you look so gloomy and sad this fine day?

Major R.—Is it not enough to sadden any one, to know that his best friend is condemned to die?

Netta—It certainly is, but who is this friend?

Major R.—Wilson Fairfax.

Netta—(*Astonished.*) What mean you? Wilson condemned to die! For what?

Major R.—You are aware of the enmity Col. Lovejoy has against Wilson, but you are not aware of what he has accomplished during this week. By his orders, and Capt. Lacy's—another enemy of our friend—Wilson has been kept on duty for the last three days and nights, and last night was again detailed for picket, when, worn out by the labors of previous days, he fell asleep and was so found by Capt. Lacy, who was

officer of the day, and Col. Lovejoy. Charges were preferred against him, he was court-martialed, found guilty, and sentenced to be shot at four o'clock two days hence, but in the meantime an effort must be made to secure his pardon.

Netta—And you are now—

Major R.—In search of a trusty messenger to carry the petition to the President.

Netta—Let me be that messenger, mine the privilege of securing the pardon.

Major R.—Impossible. Netta, there are others more fitted for the work; besides, think of the danger you would incur, during your journey to and from Washington?

Netta—Danger? Have I not been in danger before? Have I not been where the roar of artillery, the rattle of musketry, and shrieks of wounded and dying men were the only sounds that met the ear? Have I not been among men thirsting for each other's blood? Have I not ministered to the wounded on the battle-field, when the midnight prowlers were at their horrible work of desecrating the bodies of the dead? Have I not dared all the perils of the camp, and come out unscathed? Having done this, why shall I hesitate at encountering any danger that may lie between here and Washington? Oh, sir, you do not know what woman is capable of doing in a cause she loves. Provide for me a good horse, and with that and my trusty revolver, I will accomplish my mission.

Maj. R.—Then be it so. I grant your desire. Take this, present it to the President, and use all your eloquence to secure a pardon, and be as expeditious as possible, for it is now past ten o'clock, and two days hence, Wilson dies. In front of my quarters, you will find my own horse, have the saddle changed as quickly as possible.

Netta—Thanks, Major. In a short time, I will be on the way, and rest assured, that, if alive and free, I will arrive in time to save Wilson. And now, farewell.

Maj. R.—Farewell, and may you be successful. (*Exit Netta, R. 1 E.*) Noble, self-sacrificing woman, I fear her mission will be a fruitless one, for the President has already pardoned one for the same offence, and may hesitate ere he saves another. But I must hasten to Wilson, and endeavor to comfort him. (*Exit L. 1 E.*)

SCENE IV.—ACT II.

Audience chamber in the White House. Netta discovered pacing floor.

Netta.—For two long hours have I thus paced this floor,

impatiently waiting for an interview with the President, and still he comes not. Why does he not come? I told the servant to inform him that my mission was one of life and death, and would admit of no delay. It is now past three o'clock and at 4 to-morrow Wilson is to die, unless I can arrive in time with a pardon which I pray God the President may grant. Would he were here now, for this suspense is perfect misery to me. Ah! some one comes. It may be him. (*President enters.*)

Lincoln.—Young lady, I am informed that you wished to see me on important business. Please state it at once, as my time is precious, and there are others waiting for an interview also. (*Netta throws back her mantle, discovering her Vivandiere costume. President starts.*) From the army, your mission at once, lady.

Netta.—(*Handing paper.*) Mercy for a condemned soldier,

Prest.—(*Reads*) "To the Hon. Abraham Lincoln, President of the United States,—Sir: A soldier known as Wilson Fairfax, private in Company A, 19th Reg't, West Virginia Volunteers, was this morning arrested for sleeping while on duty, was court-martialed, found guilty, and sentenced as the law directs, but in view of extenuating circumstances which the bearer will explain, it is earnestly hoped by officers and men, that the Executive clemency may be extended unto him and a pardon granted." Lady, I fear I can do nothing for you, as this man in sleeping upon his post, neglected one of the most important duties of a soldier, a neglect which would have periled the lives of all in camp, had the enemy discovered it. Fortunately, in this case, it has caused no harm, still the offence remains the same, and for this offence he has been fairly tried and sentenced by his own comrades, who, knowing all the circumstances, were most apt to be lenient towards him,

Netta—True, *they* knew all the circumstances, but *you* do not, therefore allow me to tell them to you. The prisoner, ere the breaking out of the war, had incurred the enmity of a man whom destiny gave him as his superior officer, and from cause unknown to me, he had also an enemy in his captain, and these two men joined together to effect his ruin. To accomplish their object, they used means which could not fail, but at the same time were covered by their authority. For three days and nights, previous to the commission of the offence for which the prisoner has been condemned to die, he was constantly kept on duty, but *three* days and nights not being sufficient to crush him, another was added, and forgetful of the danger he incurred he slept upon his post.

And now sir, convicted under circumstances such as these, can you permit him to die?

Pres't.—Lady, I feel at this moment a pain second only to your own—

Netta—Oh, do not utter what you were about to say. You, and you only, can save this man. Oh! that any one man should have power to take away another's life at his pleasure. Have mercy as you expect mercy of Heaven. Oh! grant this man's life. Oh! Heaven! when I think of the power that rests in this hand of yours. Oh! you can not let him die.

Pres't.—Lady, Heaven bears me witness how deeply I sympathize with you. How terrible it is to me to be obliged to refuse your request. But you entirely mistake my power. I am under the law of conscience, and accountable to Heaven and the laws of the land for the use of the power in me vested. I could not tell you, perhaps, without deeply wounding your heart, how much reason I have for denying you the boon you crave. I can only recommend you and this young man to the tender mercy of God, whose compassion and power are both unlimited.

Netta.—Still callous. Oh! will *nothing* move you? Please listen to me further. Oh, sir, you had a mother once whom you loved, and who loved you. Now for a moment let us suppose you in this man's position, condemned to die, in the morning of your life, for a crime, the commission of which was forced upon you by the violation of the laws of Nature. Imagine your mother pleading for your life at the hands of one who had the power to grant it, and yet would not. Imagine that mother going away bowed down with grief, and for what? Simply because a man, holding the life of her son in his power, refused to grant it to her. Again, sir, it may be, that one dearer to him than a mother, one whom he looks upon as his future companion through the journey of life, she who is to share with him its joys and sorrows, bound to him by the fondest ties of human love, comes, and throwing herself at the feet of this man, begs and pleads with the eloquent language of love, for the life of him who is as dear to her as her own existence, and yet he will not relent, but to all their earnest entreaties returns the same heartless answer—"I will not grant his life." Their loved one dies, and in a short time is followed also by them; and why? Because a man, having the power to make them all happy, refused to exercise it. Now, sir, what would you think of such a man? Would you not think him heartless, and devoid of all the attributes that tend to make mankind "a little low-

er than the angels"? And yet you stand in the same position. This young man, whose life I plead for, has a father, mother and sister, to whom his death would be the severest blow that could be dealt. Moreover, he has pleading for his life, one to whom he is dearer than her own life, one who, kneeling at your feet, (*kneels*) begs for the life of the man she loves, and you will not grant it. You will consign this man to an early and ignoble grave, and by his death crush to earth the hearts of those who love him. You will deliberately place yourself at the side of the man I have portrayed to you, and in your cruelty, say, "I will not pardon him. He shall die." Oh, surely, you cannot do this. Oh, say, you *will not*.

Pres't—No! no! I could not do it! Lady, your prayers would melt of heart a stone! I would not look back upon this scene, at some future day, and say to myself "I refused the life of a man condemned to die for an act, the commission of which was unjustly forced upon him." I may do wrong, but his life shall be spared. Your plea is granted. Here (*taking pen and writing,*) take this. It is a full and free pardon, and hasten to the camp, for even now the hour is swiftly drawing near, in which your lover is to die, unless you reach there in time to save him. God grant you do not be too late.

Netta—Oh! may Heaven bless you for this noble act. Rest assured, sir, that wherever fortune may cast the lot of Netta, the Vivandiere, your name shall ever ascend in grateful prayer and thanks to God, for the deed of mercy you have this day performed. As you say, the time is short, but love shall hasten Netta, so that she shall arrive in time to save the life of him she loves. (*Noise outside, voice heard, "I will see him at once," enter Mr. Fairfax, advances to President, Netta lingers.*)

Pres't—Well, sir, why this intrusion upon a private interview? (*Mr. Fairfax turns and sees Netta.*)

Mr. Fairfax—Miss Winthrop?

Netta—Yes, Mr. Fairfax, Miss Winthrop, but now known as Netta, the Vivandiere. I know your errand here, but it is already accomplished. I have here a pardon for your son, granted by our noble President, with which I must hasten to camp. Return to your home, and let those anxiously waiting there, know the good news. As for me, I must away at once, or I shall be too late. As soon as possible you shall know the result. Farewell! (*Picture.*)

SCENE V.—ACT II.

Pat.—(*Entering R. 1 E.*) Begorra here I am again, rumin-

ating on the trials of a man in love, an' faith an' myself is that man. The desire to make love to every woman I meet, has ruined me intirely. Since I've been dressed in sojer clothes, I've been as smart as a young fox, on the floor of a hen roost, fell in love with every girl in camp, and begorra that's only one. Begorra but she played a fine trick on me day before yesterday. She axed me to go and find out something for her, and she would wait till I came back, but when I returned, she was gone and divil a sight have I had of her since. Now when I do see her, divil a word will I spake to her at all, at all. Och, but I wonder where she is anyhow? (*Netta enters hastily, followed by Rebel Captain and two men.*)

Netta.—Save me, Pat, save me.

Pat.—Sure an' I will do that same. Arrah, why are ye chasing the lady, ye dirty, thieving rascals? Do ye's think to capture the angel, ye blackguards? (*Captain attempts to seize Netta, but is prevented by Pat.*) Get back ye unmannerly rascals, or I'll let daylight shine through you quicker than a greased pig would go through a garden gate.

Capt.—What mean you, fellow?

Pat.—Aisy now, an' I'll tell ye what I mean. This young lady has asked me to protect her, and by the big Hill of Howth, I'll do it. D'ye mind that now?

Capt.—(*To his men.*) Secure your prisoner. (*They seeing Pat's revolvers, hesitate.*) Seize them both. Do you not understand me? (*To Pat.*) We've been ordered to capture that lady.

Pat.—Why don't you do it then? Don't you see that your companions are in no hurry to undertake it?

Capt.—Men why don't you obey my commands?

Pat.—I'll tell ye why. Sure they have a family regard for their lives. They know that when they come, they will be surrounded by the enemy, and have to surrender to superior numbers. (*Shows revolvers.*)

Capt.—The lady we must and will have, and in addition will have you also. (*Business. Men rush at, and secure Pat. Capt. moves toward Netta.*)

Netta.—One step nearer, and I fire. (*Capt. moves forward, and is shot by Netta. During this time Pat is struggling with the men and when Netta shoots the Capt., Pat succeeds in getting one hand free, and knocks one of the men down. He rises immediately, draws a knife, and in the act of rushing at Pat, is shot by Netta. Pat easily. "surrounds" the other.*)

Pat.—Beggorra, ye blackguard, but I've got you safe. What shall we do with him, Netta?

Netta.—Bind him and bring him to camp. This you can

attend to yourself, as I must arrive in camp, before the execution of Wilson Fairfax takes place. (*Exit R. 1 E.*)

Pat.—Bedad, there she's gone again. Well, secesh, we'll follow her illustrious footsteps. (*Bus. Exit, R. 1 E.*)

Capt.—A little deception accomplishes a great deal some times. Had I not feigned death, I would now be a prisoner in the hands of these hated Yankees. Curse the luck, but for that Irishman, the girl would have been ours. But it will not do to remain here, for some prowling blue coat may come along, and I am in no condition to fight at present. I must take this body into the woods, and bury it. (*Exit L. 1 E., dragging body with him.*)

SCENE VI.—ACT II.

(*Firing party L, Wilson Fairfax standing in front of representation of coffin R, his brother near him, Maj. R. C., all discovered.*)

Maj. R.—Wilson, the moment of your execution is near at hand, and yet Netta has not arrived. What can detain her. I fear she has been captured, or she would have arrived ere this. I had hoped that she would arrive in time, to prevent you going through this terrible ordeal.

Wilson F.—Blame her not, Maj. Noble girl, doubtless she has done all she could to procure a pardon, and not been successful. Such being the case, I feel relieved that she is not here, for her presence would only add more sorrow to a heart already full. Willie, your grief unmans me, and can neither alter the past or present. Maj. promise me that you will watch over, and befriend Netta and my brother, when I am gone.

Maj. R.—Wilson, I will.

Capt.—Come, gentlemen, the time for the execution has arrived. Let me prepare the prisoner. (*Advances with handkerchief to blindfold Wilson.*)

Wilson.—Captain, allow me to die as a brave man should die. I have no fear of death, but regret that my fate has been to meet it elsewhere than on the battle-field, face to face with the enemies of my country. (*Captain grants the request, returns to his position, and gives the proper orders to bring the firing party from the position of "parade rest," to that of "aim."* The moment the Captain is about to give the command "fire," Netta rushes in R. U. E., cries "HOLD", throws herself in front of Wilson, is wounded and falls into his arms. He lowers her gently to the stage, and supports her head on his arm. Captain brings the soldiers to "parade rest" again.)

Wilson F.—Oh! Heavens! is she dead!

Maj. R.—No, fortunately her sudden entrance disconcerted the men, and only one bullet struck her, and that in the arm, and she has swooned from excitement. See, she is recovering.

Netta.—Have I arrived in time?

Wilson F.—Yes, Netta, you have arrived in time to see me die.

Netta.—Oh, say not so. Here is your pardon with which I should have arrived sooner had I not been detained outside of camp.

Wilson—Heaven bless you. How can I ever repay you?

Netta—I have my reward in knowing that I have saved your life.

AFFECTING TABLEAU.

END OF ACT II.

ACT III—SCENE I.

(The battle, Regt. discovered in position to receive rebel charge, volley of musketry, fall of color sergt. Confusion, Netta rushes in, seizes the flag, and raises it, during which another volley is fired. Regiment attempts to retreat, but is stopped by Netta.)

Netta—One step farther and you die! Soldiers of the 19th, to your valor has been confided the holding of this position, the capture of which would secure victory to yonder rebel horde, and disgraceful defeat to our army. Having witnessed your heroic deeds, on many well fought fields, your general thought he could not place this position in better hands, and is this the way in which you treat his confidence? Is this your bravery? Would you make me ashamed of the regiment I have accompanied so long? If not, then let this position be held, if necessary, so long as one of the 19th is able to handle a musket. The position is one of fearful danger, it is true, but you must not forget that the fate of our army depends upon your holding it. Yonder comes a rebel charge, one of the heaviest you have yet withstood, but do not fear; if every one stands firm, they cannot break our front. Some must die! but in dying they will show to the world that they are willing to sacrifice life and everything they hold dear, upon the altar of their country. *(Col. attempts to relieve Netta of the colors.)* No! Colonel, I will bear the colors of the 19th through this engagement, and I ask every man to do nothing to make me regret having done so.

Col.—So be it. Soldiers, reserve your fire until they are

close upon us, then let cold steel and close quarters show what the men of Western Virginia can do in defense of their nation's honor. Let the words of Netta nerve every man to dare everything, sooner than suffer defeat. (*Volley fired, several fall. Rebel charging party comes on the stage, are driven back to wings, Rebel soldier attempts to capture colors, but is shot by Netta. Charge ordered by Netta. Defeat of Rebels. Illumination.*)

SCENE II—ACT III.

*Fairfax Mansion—Mrs F., R. weeping, Hattie, C., discovered
Mr. Fairfax enters R. 2 E.*

Mrs. F.—Well, husband, did you succeed?

Mr F.—My mission was accomplished before I met the President.

Mrs. F.—Oh, tell us all about it?

Mr. F.—On my arrival in Washington, I endeavored to have an interview with the President, but being denied, I went unbidden to the audience chamber, and found that another had already secured what I was so anxious to obtain. And who think you did it?

Hattie—We cannot even guess. Tell us, father?

Mr F.—She who disappeared so suddenly after the regiment left. None other than Miss Winthrop, who is now with the army and known as Netta, the Vivandiere, She was about to start with the pardon, when I entered the room.

Mrs F.—God bless the noble girl; but could she arrive in time to save him?

Mr. F.—She was confident of being able to do so, and she promised to let me know the result as soon as possible, so we may look for a messenger at any moment. (*Bell rings, messenger enters, preceded by servant who retires.*)

Mess.—I was ordered to deliver this note to the father of Wilson Fairfax. Are you the gentleman, sir?

Mr. F.—I am. [*Messenger delivers, retires, Fairfax opens letter and reads*]. "Dear Father:—All is well with me now, thanks to Netta who arrived just in time to save my life. I have but little time to write, as preparations to leave camp are in progress, and it is probable that we will have some hard fighting before long. Excuse brevity, and believe me as ever, your son;—Wilson Fairfax." There, mother, you see how well Netta has fulfilled her mission. May God reward her as she deserves?

Mrs. F.—Amen!

[*Picture.*]

SCENE 3—ACT III—*Landscape.*

Walter Fairfax—(*entering hastily* L. 1 E. *advances a few steps, retreats.*) Ah! what a narrow escape, for I had almost walked into yonder party of Yankee officers coming this way. I'll conceal myself and may possibly obtain some useful information, from their conversation. Although an officer in the Confederate army, I do not consider it beneath me to play the spy, if I can obtain information that will benefit the cause I love. (*Conceals himself—enter U. S. Officers* R. 1 E.)

Gen. Sedgwick—Well, gentlemen, although we struck the enemy a severe blow yesterday, yet they are making preparations for another battle, and I very much desire to know what is going on in yonder stretch of woods. Colonel Howard, you will order the Col. of the 5th Cavalry to make a reconnoissance in that direction, and find out what the enemy is doing. (*Exit Colonel Howard* R. 1 E. *One of the other members of the staff discovers Walter.*) What! a spy? and an officer too! Sir, what is your business within our lines?

Walter—That you must find out, sir!"

General Sedgwick—Capt. conduct this gentleman to Col. Fairfax, and order him to convene a court martial immediately, and if found guilty, let him suffer the doom of a spy. (*Exit Capt. and Walter* R. 1 E.) Come, gentlemen, let us return to camp. (*Exit* R. 1 E.)

SCENE 4—ACT III—*Woods.*

(*Drum-head Court martial. Walter* L. *with hat crushed down, partially hiding his face,* Col. Fairfax R. *and back.*)

Col. Fairfax—Gentlemen, you have seen the papers found upon this man, and heard the evidence of the officer who detected him lurking in the woods, and listening to conversation not intended to be heard by rebel officers, all of which, in my judgment, proclaims him to be a spy. If found guilty, military law provides no punishment but death. What say you, gentlemen, is the prisoner guilty or not guilty?

Omnes—Guilty.

Col. F.—Sir, you have heard the verdict, have you aught to say why the penalty for your offence should not be imposed on you. (*Walter remains silent.*) Capt. Forbes, you will take charge of his execution. But stay, let us see his face, for he has thus far studiously kept it from view. (*Raises the hat from his face.*)

Walter F.—Behold then your own brother!

Wilson F.—Oh! Heaven! have I condemned my own brother! (*Is overcome with the thought of what he has done*

and bows his head, as do all the others, *Netta enters L. 2 E., cuts the bonds on Walter's wrists, and tells him in a whisper to fly, he pushes the guard away, rushes out L. 2 E. guards fire, but miss, Walter utters a long loud laugh, Netta retires L. 2 E. immediately. Considerable confusion on the stage.*) What! has the prisoner escaped? Pursue him men and capture him if possible. (*Exit all L. 2 E. but Col. F.*) I have given orders to have him captured, but I hope he may escape. Who could have released him? (*While Col. F. is speaking, Netta enters L. 2 E.*)

Netta—I, Wilson, I cut his bonds, and told him he was free.

Col. F.—And why did you do it, *Netta*? You know not what injury his escape may do to our cause.

Netta—I care not. I would not have it said that the man I love, caused his own brother to be executed. You would not wish it yourself, would you?

Col. F.—No, *Netta*, I would not. But it is past now, and though you did wrong, I will not blame you. [*Picture. Curtain.*]

END OF ACT III.

ACT IV.—SCENE I.

(*Woods. Confederate Officers discovered.*)

Gen. Magruder.—Another victory added to the number already won by the hireling minions of the hated North, because *Maj. Fairfax* failed to perform the duty assigned him. His conduct in yesterday's engagement must be investigated. Orderly ride over to *Maj. Fairfax's* quarters, and order him to report here immediately. (*Exit orderly R. 1 E.; enter Maj. Fairfax R. 1 E.*)

Maj. F.—General, I have been informed that you desired to see me. I had just returned from a visit to the Yankee camp, and reported immediately.

Gen. M.—Did you obtain any information in regard to their movements?

Maj. F.—I did, and almost lost my life in so doing.

Gen. M.—In what manner?

Maj. F.—After examining their outposts, I resolved to enter their lines, to acquaint myself more fully with their works and unfortunately, met a party of officers, but not too late to conceal myself. From my hiding-place, I heard some of their plans talked over, and was congratulating myself on my good fortune, when one of the infernal scoundrels dis-

covered and seized me before I could escape. A court martial was convened at once, I was tried as a spy, found guilty, and condemned to die, when by a lucky stroke of fortune, I was enabled to escape.

Gen. M.—You were very fortunate, but now in reference to my purpose in summoning you here. You had charge of the assaulting party yesterday, that was ordered to capture the strongest position of the enemy's line, had you not?

Maj. F.—I had, General.

Gen. M.—Acquaint me with the reason of your failure.

Maj. F.—As you are aware, we had driven in their skirmishers, and were rapidly advancing upon the main line, with confidence in our ability to carry that also, for their colors down, nearly half their officers killed or wounded, our batteries rapidly thinning their ranks, a panic seized them, and the victory seemed already ours, when she whom they call Netta, the Vivandiere sprang in among them, seized the fallen colors, raised them above her head, and herself barred the way of the retreating men. Their broken ranks were quickly reformed, and when we charged upon them, they stood like a wall of stone. Twice did we charge, and as often were forced to retire. Nothing could break through that hedge of steel and determined men, nerved to their work by the cheering cries of this girl, who amid the storm of leaden hail, stood undaunted by their sides. Suddenly she sprang to the front, gave the order to charge, and as an avalanche they hurled themselves upon us, and the day was theirs.

Gen. M.—Your account of the affair exonerates you from the suspicion I had of your conduct in yesterday's engagement. It is well known that men will do and dare almost anything where woman is concerned, especially when they are idolized as this Netta is said to be! She must be captured, or disposed of some other way. She has done too much injury to us in all of our late battles, to be permitted to remain where she is. Colonel, you will issue orders to the different regiments, offering a reward for the capture of this woman. And now, Major, what information in regard to the movements of the enemy did you learn while within their lines?

Major F.—That a reconnoitering party was to be sent out, in order to learn the nature of our movements in the woods on our right.

Gen.—Ah! this must be attended to. What was to be the strength of the reconnoitering party?

Maj. F.—A regiment of cavalry.

Gen.---Maj. Fairfax, you will, with your regiment attend to this reconnoitering party, and if possible, capture it. In the meantime don't forget that this vivandiere must be captured. (*Curtain.*)

SCENE II—ACT IV.

Landscape. Enter Netta L. 1 E.

Netta.—How dark it is getting, and a storm is coming on. (*Thunder and lightning.*) I must hasten to camp. I should have been there now, had Col. Fairfax not been ordered to make this reconnoissance with *his* regiment instead of the 5th cavalry. Ah! what's that. (*Two confederate soldiers enter from the right, and run toward Netta as if they intended to capture her. At same time one enters from the left. Halt or your lives shall pay the forfeit. (She levels the revolver at them. The soldier in rear knocks the revolver from her hand, and they all seize her.)*)

Soldier.—We have you now, my pretty miss. We will make a nice pile of stamps on your capture. The general has offered a thousand dollars reward for your capture and we intend to deliver you to him. (*Business.*) No, no, miss we could not think of letting you go. Come along. (*They start out, but are met by Maj. F. who recognizes Netta.*)

Maj. F.—Release that lady, men. *He cuts her bonds, while men crowd around them. Draws sword and drives them back.*) Back you hounds, have you no more manhood than to treat a lady in the manner you have this one. Netta, do you wish to return to the camp? If you do, I will accompany you as far as it would be safe for me to go, if you will allow me.

Netta.—I do wish to go, but alone. (*Thunder followed by lightning.*)

Maj. F.—Impossible. It is now nearly dark, and besides there are more men of the kind I rescued you from, along the road.

Netta.—Give me back my revolver, and I will take care of myself.

Maj. F.—Here it is Netta, and you are free to go as you will. But at least we part as friends.

Netta.—Maj. Fairfax, as I told you three years ago, so I tell you now. I can not look upon the enemies of my country, as friends of mine. I released you to-day, not from regard for you, but to save your brother from the commission of an act which his duty required him to perform, but which would have been a source of unhappiness with him in time to come. When you sever your connection with this

rebel cause, and return to your allegiance to your country, then may you claim me as your friend, but not before. Until that time, farewell. (*Goes to the wings on R, stays there and overhears the remarks of Fairfax to his men. Lightning, followed by thunder.*)

Maj. F.—Well she is gone, and I hope she may reach the camp in safety. Now soldiers, we must hasten on to the cross roads, or we will be too late to intercept the Yankee scouting party we are after. [*Exit all, L. 1 E. Enter Netta, R. 1 E.*]

Netta.—They have gone to prepare their ambuscade. How fortunate that I lingered a moment to listen, and thereby learned of the trap they intend to set for the return of the reconnoitering party under command of Col. Fairfax. But if possible I must foil them. [*Exit L. 1 E. Lightning, followed by thunder.*]

SCENE IV.—ACT III.

Woods. Confederates discovered.

Maj. F.—Now men, lose no time in getting the netting fixed across the road, and retire to your hiding places, and when in, let no noise be made, until they are entangled in the net. Then fire low, and let every shot bring down a man, for if possible not one must escape to tell the tale. [*Business.*] There that will do. Now into your place at once. [*All secrete themselves in various places, as Col. F. enters with Union troops, R. 2 E. who do not see the netting until some get fast in it. Lightning, followed by thunder.*]

Col. F.—Men do you not see the trap that has been prepared for us? Be watchful for an ambuscade is near at hand. [*The command "Fire" is here given by Maj. F., several Unionists fall, the Confederates come on the stage, and engage in a hand to hand conflict, the leaders selecting each other as antagonist. After a few passes, the men cease fighting, and watch their leaders. During this scene thunder is heard, and a vivid flash of lightning shows Col. F. that he is fighting his brother. When he makes this discovery he draws back and exclaims? Walter, brother is it you?*]

Maj. F.—Yes, it is me, but what matters that? Raise your sword and defend yourself.

Col. F.—Never will I willingly raise my hand against my brother's life. [*Lets his sword fall behind him.*]

Maj. F.—Then your blood be upon your own head, for, as I live, I will not spare you. [*Makes a lunge at him.*] Die!

Netta.—*Rushes in, R. 1 E. picks up Col. F's sword, and with*

it knocks Maj. F.'s sword from his grasp.] Fratricide, would you murder your own brother.

Maj. F.—Aye, were he ten times my brother. Through my negligence you have robbed me of my sword, but this [*drawing revolver*] still remains. Now, cursed Yankee your doom is sealed. [*Raises revolver to shoot Wilson, but ere he can use it he is shot by Netta, falls, and his pistol is discharged in the air. As he falls, his men are driven out by the Union party, leaving Wilson, Walter, and Netta on the stage. Netta kneels by side of Walter who is raised by Wilson.*]

Col. F.—Are you much injured, Walter.

Maj. F.—Yes, that bullet struck me in the breast, and has I fear inflicted a dangerous wound. Curse you, girl, you have laid me up for awhile.

Netta.—The fault was your own, you brought your injury upon yourself.

Col. F.—Peace, Netta, this is no time for recriminations, Walter requires surgical aid, and must have it. Do you feel able to walk as far as the camp, Walter, or shall I have you carried to the ambulance?

Maj. F.—You need not trouble yourself. With a little assistance I can walk. [*Men have returned by this time with prisoners.*] Here Howard. [*To one of the men.*] Give this man your arm, and assist me in getting him to the ambulance. [*Exit all. Curtain.*]

SCENE IV—ACT IV.

Enter Pat and Pomp, R.

Pomp—I say now, massa Pat, you done just clar away an' lebe dis ole dark alone.

Pat.—Now, Pomp, ye aint going to git out of temper on the Fourth of July, are ye? Did ye never hear what Mr.—Mr. well never mind who said? (*Pomp shakes his head*) Ye didn't? Well, thin, I'll tell ye. He said:

Let bears and lions growl and fight
Cause ye were not made to scratch and bite.

Now, Pomp, that's the way with this Fourth of July. It's not made to git mad in. Now see here, Pomp, I'm going to make a speech an' ye must be the ordiance, so squat down there and listen. (*Pomp sits on stage against wings*) This Fourth of July is a decided success, a perfect ripsnorter. Yes, Pomp, it's a right out an' outer. It's niver been bate, and darn me ould stockin's if it can be bate. Sure an' it's a better man thin iver Christmas was. St. Patrick's day's some but Fourth of July is always summer. If there was no other

raison for gittin' mad, cussin an' tearin' round, an' shootin' these dog-goned rebs—their fightin' against the Fourth of July would be enough, fur they're down on it, for begorra, if they'd walk over the Stars an' Stripes, divil a bit wud they kape Fourth o' July. They'd tar and feather the Statue o' Liberty, if they come across her, an' tear the fithers out o' the American agle to do it wid, but I'll not say where they'd git the pitch, fur it's down in a hot climate. Yes, Pomp, them lyin', thavin', bog-trottin' rascals tell us the South's out o' the Union. They're a lyin' set and drink whisky. What ever's my fault, that's not one o' them. The South out o' the Union? It can't be did. Ye might as well try to eat army bane soup wid a fork, as to git the South out o' the Union. That's what's the matter. Pomp, if the South don't behave hersilf we'll lick her, an' spakin' o' licker me most consarned dry, and I wish we could licker right away. As I said before, Pomp, this is the Fourth o' July, an' I can lick any one who says it ain't. It's made me as full of—yes it has that I feel like a whole battery o' mortars, an' I'd jist like to have a shillelah fight wid about a half-dozen o' these blasted greybacks, darn their, sneakin', thievin', picket-shootin' dead-robbin' soldier-starving sowls. They orte to be turned into yailer dogs an' bate with white-oak switches. I'd be willin' to be convarted into a white oak tree, an' split into switches to do it wid. I'm *secesh* all over, no, begorra, I mane I'm reb up to the handle, that's it, no I'm—no matter what I am. I'm sound on the Union, ain't I, Pomp? Why my ould woman wud knock me two eyes into one, if I were in favor of Jeff. Didn't I hear somebody say this is the Fourth o' July; if I did, it must be so. Yes, Pomp, this is the Fourth o' July, an' anybody who goes back on it ought to— (*Pomp looks around, jumps up and runs round. Pat catches him and asks the reason.*)

Pomp—Clar to goodness, massa, I se'ed a reb's head poking out in dar. We'd better lebe here, or we'll be cotched.

Pat—Only one reb? Sure an' are ye afraid o' a reb? It's mesilf is not afraid o' a dozen. (*Shot fired L., Pat runs out R., leaving Pomp alone*)

Pomp—He ain't scared? Dis chile wonders what made him spread hisself den? Hi! Golly, but he's a runnin, and I'd better go too, cause I don't want to be chawad up by any rebel gorilla. (*Exit, R. Enter Wilson and Netta, L.*)

Netta—(*Laughing*) I guess, I've given Pat and Pomp, a pretty good scare, judging by the way they left.

Wilson F—Ah, Netta, you are always playing jokes upon

some one, but here comes Walter. (*Enter Walter, R.*) Ah, Walter, you're improving rapidly, and in a few days will be as well as ever.

Walter—Yes, thanks to the care you and Netta have taken of me, while in the hospital, for, little as I deserved it, every want and wish has been supplied. I can never repay the debt of gratitude I owe you.

Wilson—We performed only the duty of common humanity. (*Enter messenger with package for Walter. He takes it, and silently reads it.*)

Walter—An order for my release, but which is now unnecessary, inasmuch as I do not intend to enter the rebel lines again, in the character I sustained there until I was wounded.

Wilson—Do you really mean what you say, Walter?

Walter—I do. While in the hospital, I had ample time to consider on the issues involved in this struggle, which all thought would end so soon, but which seems as far from being decided as at the beginning. In reviewing the past, I saw the madness and folly of the course I had pursued, saw myself an outcast from home, and in imagination beheld the brand of traitor on my brow, and I resolved that I would not again unsheath my sword in defense of the foulest conspiracy that ever disgraced mankind, but would aid in restoring over every foot of our nation's soil, that glorious banner of the Stars and Stripes, the emblem of liberty to the down-trodden of all the nations of the earth.

Wilson—May Heaven smile upon your resolution, my brother. This will be glorious news for father, will it not, Netta?

Netta—It will indeed, and now, Walter, the friendship you have so long desired, is yours.

Walter—Thanks, Netta, for your kind words, but let us return for I desire, as soon as possible, to exchange this suit of grey, for the more honorable one of blue. [*Curtain.*]

ACT V—SCENE I.

Fairfax Mansion. Wilson and Netta R.; Percy R. and Hattie, L.; Walter, R. and back; Mr. and Mrs. F., and Willie seated at center table; Mr. F. reading; Mrs. F. and Willie playing chess; Walter sitting as if in deep thought; the others apparently engaged in conversation.

Wilson.—Father have Generals Johnson and Taylor surrendered yet?

Mr. F.—Yes, Wilson, they have, and I read in the army

news, that the army is to be disbanded, so that by the time your furloughs have expired, your regiments will have returned, and you can all remain at home, and enjoy the fruits of the victories won by yourselves and your brave comrades during the four years' bloody struggle for the safety of the only government in which the people are not the victims of oppression, and the playthings of tyrants. We have great cause for happiness, have we not, mother?

Mrs. F.—Yes, father, we have,, although throughout the land to-day there are hundreds of desolated homes and weeping hearts, sorrowing for the loss of their dear ones, who gave their lives as sacrifices for their country, and while we sympathize with them in their affliction, yet we cannot but feel thankful that ours have returned unscathed by the dangers through which they have passed.

Mr. F.—There is yet another circumstance over which we have cause to rejoice, that is the restoration of Walter to our home circle, an occurrence that could never have taken place had he persisted in battling against his country. But he saw his error in time to remedy it and now, I am sure, feels no regret at the humiliating defeat and overthrow of the Southern Confederacy. Is it not so, Walter?

Walter.—It is, father. Though led away at first by the bright schemes placed before me by those taking an active part in the rebellion, I soon began to feel that we were wrong, and unworthy of success. For a time I fought against the feeling, but, thanks to Miss Winthrop, and the influence she brought to bear upon me, I was at last convinced, and I hope that the service I have since rendered to my country, has in part atoned for the injury done by my treason. I owe all my present happiness to Miss Winthrop, for, if it had it not been for her, I would now be an outcast from home.

Wilson—Yes, and but for her, I too would have been an absentee, sleeping in an unhonored grave, the victim of the deadly hatred of two malignant enemies. Ah, father, Netta has proved herself a true friend to all of us.

Mr. F.—She has been a friend, but I hope to see her bear a closer relationship.

Wilson—That hope will soon be realized, for she, who for so long a time followed the fortunes of war with the 19th, has for a longer time been the promised bride of Wilson Fairfax. But where is Walter? (*Enter Walter with a lady.*)

Walter—Here. Allow me to introduce to you, my promised bride, Miss Armstrong. [*All seem surprised, except Mrs. F.*] This surprises you all, with the exception of dear mother, who has been my confidant. An explanation will

no doubt please you all, and you shall be gratified. This lady is the daughter of a Confederate officer whose acquaintance I formed while in the rebel army. While out riding one day, I rescued her from a party of soldiers, and the acquaintance, so romantically begun, was continued. At the battle of Antietam, her father fell mortally wounded, and dying he confided his daughter to my care. On my return, I brought her with me, and now, I have this request to make of all. Though her father fell battling against his country, let me hope that no unkind feelings will be cherished toward her on that account, for though mourning his unhappy death, she, as well as myself, regrets that he fell not in defence of a nobler cause, but the past cannot be recalled. Then, let us forget it, and think only of the happy present. And now, father, one thing more is necessary to complete our happiness.

Mr. F.—And what is that, Walter?

Walter—Your blessing on our union.

Wilson and Percy—And no ours.

*Wilson and Netta, Percy R. and Hattie, kneel on R. of Mr. F.
Walter and Miss Armstrong, on L.*

Mr. F.—It is freely given. May Heaven bless your union with prosperity and happiness, and also the re-union of our country, and grant that it may not again be visited with the miseries of war, and may the North and South ever remain united in one destiny, and under one flag.

TABLEAU—UNITED UNDER ONE FLAG.

SCENE II.—ACT V.

EPILOGUE—SPOKEN BY WALTER FAIRFAX.

SCENE III.—ACT V.

GRAND FINAL TABLEAU.

THE END.





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